

## Message Text

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PAGE 01 MANAGU 05735 201854Z

ACTION OES-07

INFO OCT-01 ARA-10 EUR-12 EA-10 ISO-00 ACDA-12 AGRE-00

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00

DLOS-09 DODE-00 DOTE-00 EB-08 EPA-01 SOE-01

DOE-12 FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13

JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OMB-01 PA-01

PM-05 PRS-01 SP-02 SS-15 USIA-06 /157 W

-----108225 202144Z /72

R 201701Z DEC 77

FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC 5166

INFO AMEMBASSY MEXICO

AMEMBASSY PANAMA

AMEMBASSY SAN JOSE

AMEMBASSY TOKYO

AMEMBASSY GUATEMALA

AMEMBASSY TEGUCIGALPA

AMEMBASSY SAN SALVADOR

AMEMBASSY QUITO

AMEMBASSY LIMA

AMEMBASSY SANTIAGO

AMEMBASSY CARACAS

AMCONSUL HAMILTON

AMCONSUL CURACAO

C O N F I D E N T I A L MANAGUA 5735

E.O. 11652: GDS; TAGS: EFIS, PFOR, NU

SUBJECT: NICARAGUAN VIEWS ON THE CONSERVATION & MANAGEMENT OF  
TUNA IN THE EASTERN PACIFIC

REF: STATE 292193

1. EMBOFF DISCUSSED NEGOTIATIONS FOR PROPOSED NEW TUNA TREATY  
SEPARATELY WITH DR. GILBERTO BERGMANN PADILLA, DIRECTOR GENERAL OF  
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PAGE 02 MANAGU 05735 201854Z

NATURAL RESOURCES, MINISTRY OF ECONOMY, AND LIC. FRANCISCO CAMPBELL,  
ASSISTANT DIRECTOR GENERAL, MINISTRY OF FOREIGN RELATIONS, DRAWING  
ON POINTS IN PARA 13, REFTEL. BERGMANN INDICATED THAT, SINCE THE  
TUNA ISSUE WAS NOW BECOMING "POLITICAL", HE COULD NOT ADDRESS THE  
POINTS EMBOFF RAISED. ADDED THAT GON'S POSITION WOULD HAVE TO BE  
COORDINATED WITH FOREIGN MINISTRY AND OTHER GON ENTITIES.  
CAMPBELL, HOWEVER, WHO IS INTIMATELY FAMILIAR WITH GON POSITION IN

LAW OF SEA NEGOTIATIONS, WAS "EAGER" TO COMMENT. CAMPBELL MADE THE FOLLOWING POINTS:

A. NICARAGUA'S OVERALL POSITION ON TUNA MATTERS IS CONSISTENT WITH THE POSITION IT ADOPTED AT LAW OF SEA (LOS) CONFERENCE, I.E. THAT COASTAL STATES HAVE JURISDICTION OVER ALL RESOURCES WITHIN A 200-MILE ECONOMIC ZONE, INCLUDING MIGRATORY SPECIES PASSING THROUGH THAT ZONE.

B. RE ALLOCATIONS: NICARAGUA CONSIDERS POINT NO. 25 IN THE MEXICAN-COSTA RICAN PROPOSAL TO BE UNSATISFACTORY IN ITS PRESENT FORM. SOME OTHER FORMULA SHOULD BE FOUND SINCE THE "HISTORICAL CATCH" METHOD DOES NOT ADEQUATELY REFLECT THE "REALITY OF THE PRESENT SITUATION." MOREOVER, SINCE THE "MARITIME" ZONES OF NICARAGUA AND OTHER MEMBER COUNTRIES OF THE INTER-AMERICAN TROPICAL TUNA COMMISSION (IATTC) HAVE NOT YET BEEN DEFINED, IT IS DIFFICULT TO SEE HOW POINT 25 CAN SPEAK OF THIS OR THAT ZONE AS BELONGING TO VARIOUS COUNTRIES.

C. RE ENFORCEMENT: AS A MEMBER OF IATTC, NICARAGUA FAVORS ADEQUATE CONSERVATION MEASURES AND EXPECTS THAT THE NEW TREATY WILL PROVIDE FOR SUCH MEASURES. NICARAGUA FEELS THAT, WHILE IT IS UP TO COASTAL STATES TO CONDUCT ACTUAL ENFORCING OR POLICING MEASURES WITHIN A 200-MILE ECONOMIC ZONE, SOME INTERNATIONAL MECHANISM MUST BE FOUND FOR ENFORCEMENT OUTSIDE OF THE 200-MILE ZONE. NICARAGUA WOULD BE PREPARED TO SUPPORT THE SETTING UP OF SUCH MECHANISM.

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PAGE 03 MANAGU 05735 201854Z

D. RE MEMBERSHIP: NICARAGUA BELIEVES THAT THE NEW ORGANIZATION SHOULD INCLUDE ALL COASTAL STATES AND STATES FISHING IN THE AREA IN ORDER TO MAKE CONSERVATION MEASURES MORE EFFECTIVE.

E. IT APPEARS TO THE NICARAGUANS THAT, IF NO NEW ORGANIZATION REFLECTING NEW CONCEPTS ARISING FROM THE LOS EMERGES, THEN THERE SHOULD BE A FUNDAMENTAL REFORMATION OF THE IATTC TO BRING IT INTO LINE WITH THOSE NEW LOS CONCEPTS.

2. CAMPBELL UNDERTOOK TO PROVIDE FURTHER THOUGHTS ON THESE MATTERS AFTER CONSULTATIONS WITH OTHER INTERESTED GON ENTITIES. EMBASSY WILL CONVEY SUCH ADDITIONAL COMMENTS AS IT MAY RECEIVED.  
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## Message Attributes

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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009